

REMARKS

Claims 66-70 are pending. Claim 66 was amended and new claims 69 and 70 were added. No new matter was introduced by the amendment or the new claims. Support for new claim 69 can be found in, among other places, previously pending claim 66, and in the specification at page 10, lines 5-9, and at page 71, line 21 to page 73, line 3 (Example 7). Support for the claim 70 can be found in, among other places, previously pending claim 66, and in the specification at page 10, lines 25-30, and at page 74, line 16 to page 77, line 21 (Example 9).

The undersigned would like to thank Examiner Romeo for taking the time for a telephone interview on November 15, 2004. It is our understanding from Examiner Romeo's comments that the rejection under 35 U.S.C. §102(b) will be withdrawn. Applicants note for the record that the amendments are not being made in response to the 102(b) rejection. Applicants respectfully request entry of this amendment accordingly.

Rejection under 35 U.S.C. §112, second paragraph

The Examiner rejected claims 66-68 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention because of lack of sufficient antecedent basis. Claim 66 has been amended to obviate this defect. Claims 67 and 68 are dependent on claim 66 and amendment of claim 66 also obviates the ground for this rejection for these dependent claims.

Double Patenting

Claims 66 and 67 were rejected for obviousness-type double patenting over claims 1-8 of U.S. Pat. No. 6,399,569. Claim 68 was rejected for obviousness-type double patenting over claims 1, 3 and 4 of U.S. Pat. No. 6,077,823.

Without conceding to the correctness of the rejection, Applicants hereby submit a suitable terminal disclaimer. In view of the terminal disclaimer, Applicants submit that the rejection for this reason is now moot.

Rejections under 35 U.S.C. § 102(b)

The Examiner rejected claims 66 and 67 as being anticipated by U.S. Pat. No. 4,968,590 (the "'590 patent") in light of Rutherford. It is Applicants' understanding from the Examiner's comments during the November 15, 2004 telephone interview that this ground of rejection will be withdrawn. Accordingly, Applicants respectfully request such withdrawal of rejection be reflected in the consideration of this response and amendment.

In view of the above amendment and remarks, Applicants believe the pending application is in condition for allowance.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. JJJ-P05-518 from which the undersigned is authorized to draw.

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Respectfully submitted,

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